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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional): 0918.0011C

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

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Application Number	Filed
09/731,836	December 8, 2000

First Named Inventor: Wrench, Jr.

Art Unit	Examiner
2137	Pyzocha

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- ☑ attorney or agent of record. Registration number 40,169
- ☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____

Stuart B. Shapiro
Signature

Stuart B. Shapiro
Typed or printed name

(301) 424-3640
Telephone number

April 3, 2006
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

Attorney Docket No.: 0918.0011C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the PATENT application of

Edwin H. Wrench, Jr.

Examiner: Pyzocha, Michael J.

Art Unit: 2137

Serial No.: 09/731,836

Filed: December 8, 2000

For: Method and Apparatus to Facilitate Secure Network Communications with a Voice Responsive Network Interface Device

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request a Pre-Appeal Brief Review of the outstanding issues raised in the Final Office Action of January 6, 2006. Applicants believe there exist clear errors in the Examiner's Final rejections as discussed below.

THE PRESENT INVENTION

Initially, an overview of the present invention is provided in order to assist in an understanding of the invention. Generally, a user may access a network or the Internet by a computer system or by placing a call to a voice browser system. The computer system typically stores locally security information (e.g., keys, certificates, etc.) for the user to negotiate parameters with a secure web site and establish a secure session. However, when the user accesses the network by telephone, voice browser systems do not store or have access to the user security information to establish a secure session with a secure web site. Thus, conventional voice browser systems are

unable to negotiate security parameters with secure web sites, thereby preventing user access to and secure encrypted sessions or communications with those sites.

The present invention overcomes this problem and enables voice browsers (providing unsecure sessions) to negotiate security parameters and conduct a secure session with secure web sites for users. This is accomplished by the voice browser detecting a secure site and transferring security information received from the secure site to a security system to negotiate parameters for the session. The user security information is stored remotely from the voice browser.

In particular, the present invention is directed toward a system for facilitating secure network communications including a security computer system utilized in conjunction with a voice browser residing on a server system. The present invention includes a module for a voice browser that creates a secure connection to the security system. In order to enable retrieval of user security related information stored remotely from the voice browser, the user provides an identification to the voice browser system that is transferred to and verified by the security system. Once the identification is verified, the user is prompted by the voice browser system to speak a phrase for voice verification. The verification speech signals are transferred from the voice browser system to the security system to verify those speech signals against speech signals of a particular authorized user associated with the identification and stored in a database. When the user is verified, the security system retrieves a user private key and certificate from a database remote from the voice browser.

In response to the user subsequently accessing a web site residing on a secure server, the secure server and voice browser system initiate a secure key exchange. Data packets from the secure server containing security information are identified by the voice browser system and transferred to

the security system for processing, while security information from the security system is transferred to the secure server via the voice browser system. The resulting session key is securely transferred to the voice browser system to facilitate secure communications between the voice browser system and secure server. In other words, the security system handles processing of the security information from the secure web site to enable the voice browser (otherwise providing unsecure sessions) to conduct a secure session or provide secure communications with that site.

FINAL REJECTIONS

The Examiner has rejected claims 1 - 9, 11 - 28 and 30 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,484,263 (Liu), further in view of U.S. Patent No. 5,953,700 (Kanevsky et al.), further in view of U.S. Patent No. 6,266,418 (Carter et al.) and further in view of U.S. Patent No. 6,560,576 (Cohen et al.), and has rejected claims 10 and 29 under 35 U.S.C. §103(a) as being unpatentable over the above combination and further in view of U.S. Patent No. 5,341,426 (Barney et al.).

Independent claims 1, 12, 16 and 20 reflect the above description of the present invention and recite the features of facilitating secure encrypted communications over a network with a network interface configured to provide unencrypted sessions with web sites, a security module to detect a secure web site providing encrypted sessions, the security related information including information enabling a secure encrypted session with the secure web site, the security information including information enabling negotiation of parameters for secure encrypted sessions with secure web sites, the security system processing for the network interface identified security information to enable the secure encrypted session and negotiating communication parameters with the secure web site utilizing the retrieved security information to facilitate the secure encrypted session between that site and the voice browser.

The cited patent documents within the rejections, either alone or in combination, fail to disclose several features within independent claims 1, 12, 16 and 20. Initially, the Examiner has utilized four separate patent documents in an attempt to reject the independent claims in a piece-meal or element-by-element fashion. However, this approach fails to consider the interaction of the claimed elements and the claimed invention as a whole. Briefly, the cited patent documents do not disclose, teach or suggest, either alone or in combination, enabling a voice browser providing unencrypted sessions to conduct secure encrypted sessions with secure web sites or, for that matter, a network interface, including the voice browser, detecting a secure web site providing encrypted sessions and conveying received security information to a security system for processing to enable the voice browser to conduct an encrypted session as recited in the independent claims.

Rather, the Liu patent is directed toward a browser providing a locally stored user name and password to access a password protected web site, while the Carter et al. patent discloses secure communications between telephones as discussed at Pages 6 - 8 of the amendment of July 26, 2005. The Kanevsky et al. patent discloses a portable acoustic signal preprocessing device for accessing an automatic speech/speaker recognition server to perform speech and speaker recognition at a remote location (e.g., See Abstract). This patent similarly fails to disclose the claimed features discussed above.

With respect to the Cohen et al. patent, the Examiner concedes in the Office Action of January 6, 2006 that the combination of the Liu, Kanevsky et al. and Carter et al. patents fails to disclose detecting a secure web connection and providing encrypted sessions, but alleges that the Cohen et al. patent discloses these features. However, the Cohen et al. patent is directed toward a voice enabled application, which may be a voice browser, that is configured to provide active help to a user. The application maintains a number of active help prompts capable of being played to a user

as speech, and a number of sets of conditions, each set corresponding to a different active help prompt. Dialog states are monitored to generate an event, where certain conditions are applied to user-specific variables in response to the event. A prompt is played to the user if the applied conditions are satisfied (e.g., See Abstract). Thus, the Cohen et al. patent fails to compensate for the deficiencies of the cited patent documents.

The above discussion applies to corresponding dependent claims 2 - 9, 11, 13 - 15, 17 - 19, 21 - 28 and 30.

Claims 10 and 29 depend from independent claims 1 and 20, respectively, and include the features of their parent claims discussed above. The Barney et al. patent is merely utilized by the Examiner to show use of private keys and certificates, and similarly fails to compensate for the deficiencies of the above combination as discussed at Page 9 of the amendment of July 26, 2005.

OBJECTIONS

The Examiner has objected to independent claims 1, 12, 16 and 20 and requested the term "secure web site" be changed to "secure web server". However, the specification indicates secure sessions with network sites (e.g., See Specification Page 13, lines 5 - 10). Further, a secure session with a web site typically includes secure communications with the web server hosting that site.

In view of the foregoing, Applicant respectfully requests withdrawal of the outstanding rejections and objections, and allowance of the application.

Respectfully submitted,

Stuart B. Shapiro

Stuart B. Shapiro
Registration No. 40,169

EDELL, SHAPIRO & FINNAN, LLC
1901 Research Boulevard, Suite 400
Rockville, Maryland 20850-3164
(301) 424-3640
Hand-delivered: 4/3/2006